

#11
JC14 Rec'd PCT/PTO 06 MAY 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): LABRIE et al
US APPLN SERIAL NO.: 09/786,305
INT. APPLN. NO.: PCT/US99/13592
INT. FILING DATE: 16 JUNE 1999
TITLE: APPARATUS FOR DEPLOYING AN AIRBAG THROUGH A HARD ...
PCT LEGAL EXAMINER: RICHARD COLE
DOCKET NO.: TRM DV2539

BOX PCT – ATTN: PCT LEGAL OFFICE
Assistant Commissioner for Patents
Washington, D.C. 20231

RENEWED PETITION UNDER 37 CFR 1.47(a)

Dear Sir:

Applicants herein file a Renewed Petition Under 37 CFR 1.47(a) to accept filing when one inventor refuses to sign and two inventors cannot be located. The fee set forth in 1.17(i) is enclosed. A Petition for a one (1) month extension of time to respond to the Decision on Petition Under 37 CFR 1.47(a) of this Non-Provisional Application, mailed February 6, 2002, accompanies this Petition.

Applicants note that in the Decision on Petition under 37 CFR 1.47(a) dated February 6, 2002 the Examiner requested that pursuant to MPEP 409.03(d) Applicants provide a statement of facts, or provide documentary evidence, that a bona fide attempt was made to present a copy of the application papers (specification, including claims, drawings and oath or declaration) to the non-signing inventor, Mr. Daniels.

Applicants also herein note the following factual circumstances regarding the refusal of Vernon Daniels who has refused to join in the application herein. Specifically, the undersigned notes that Mr. Daniels was contacted by telephone on or about November 7, 2001 and a bona fide attempt was made at such time to have Mr. Daniels review the specification, including claims, drawings, and executed the oath/declaration. Mr. Daniels refused to cooperate with such request.

Subsequent to the receipt of the Decision on Petition dated February 6, 2002, and as additional bona fide effort to document Mr. Daniels's refusal, the undersigned forwarded via express mail a copy of the application (specification, including claims, drawings and oath/declaration) to Mr. Daniels's last known address at 160 Channes Circle, Brooklyn, Michigan 49230. As can be seen in the attached exhibit, the mail addressed to Mr. Daniels was then forwarded to 2675 Greenstone Dr., #908, Auburn Hills, Mi 48326 by the US Postal Service and further, returned to the undersigned as "moved - no forwarding address".

It is therefore respectfully submitted that diligent effort has been made to find or reach the non-signing inventor, Mr. Daniels, a statement of facts herein as attested to the undersigned below with firsthand knowledge, and documentary evidence has been provided to support the fact that a diligent effort was made to secure Mr. Daniel's signature, and all requirements with respect to Mr. Daniels have been satisfied under 37 CFR 1.47(a).

In addition, the undersigned notes that co-inventor John J. Kennedy is no longer employed by Textron Automotive Company, Inc. and in spite of repeated efforts, the undersigned was unable to locate co-inventor Kennedy.

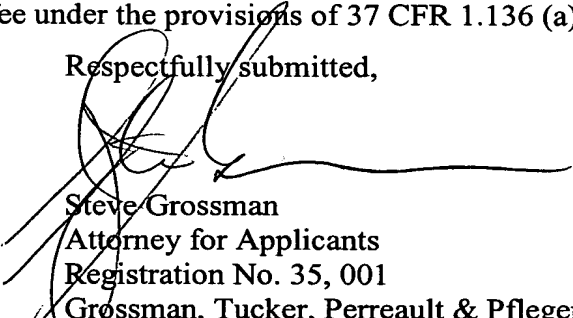
Furthermore, subsequent to the receipt of the Decision on Petition dated February 6, 2002, in which the Examiner requested documentary evidence, the undersigned forwarded via express mail a copy of the application (specification, including claims, drawings and oath/declaration) to Mr. Kennedy's last known address at 920 Irving, Royal Oak, Michigan 48067. As can be seen in the attached exhibit, the mail addressed to Mr. Kennedy was undeliverable as addressed/addressee unknown and returned to the undersigned undelivered.

It should be noted that co-inventors Daniels and Kennedy made the invention recited in the present application while in the employ of the assignee and in an obligation of assignment to Textron Automotive Company, Inc. of this national stage application as evidenced by the copies of the executed Power of Attorney of the priority PCT Patent Application No. PCT/US99/13592, Attorney Docket TAC FP0764.003 PCT previously provided to the Examiner.

Finally, the undersigned notes that it has since been successful in obtaining the signature of co-inventor Craig Labrie and submits the executed document herein.

Accordingly, it is respectfully submitted that the requirements of 37 CFR 1.47 have been fully satisfied with respect to Mr. Daniels and Mr. Kennedy, and the present application be accepted for United States National Stage processing without the signature of co-inventors Daniels and Kennedy. The fee set forth in 37 CFR 1.17(i) is enclosed herein, including the extension fee under the provisions of 37 CFR 1.136 (a).

Respectfully submitted,



Steve Grossman
Attorney for Applicants
Registration No. 35, 001
Grossman, Tucker, Perreault & Pfleger, PLLC
795 Elm Street, Suite 604
Manchester, New Hampshire 03101
United States

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Date of Deposit: May 6, 2002

I hereby certify that this paper and the papers listed thereon are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, and is addressed to BOX PCT – ATTN: PCT LEGAL OFFICE, Assistant Commissioner of Patents, Washington, D.C. 20231.

Signature of person mailing: Carol McClelland

Name of person mailing: Carol McClelland

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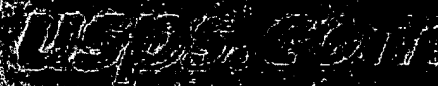
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- ADDRESSEE UNKNOWN, March 26, 2002
- UNDELIVERABLE AS ADDRESSED, March 26, 2002, 11:44 am, ROYAL OAK, MI 48067
- ARRIVAL AT UNIT, March 26, 2002, 10:23 am, ROYAL OAK, MI 48068
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